

**U.S. District Court
California Northern District (Oakland)
CIVIL DOCKET FOR CASE #: 4:19-cv-01465-DMR**

Center for Media Justice et al v. Federal Bureau of Investigation
et al

Assigned to: Magistrate Judge Donna M. Ryu

Cause: 05:552 Freedom of Information Act

Date Filed: 03/21/2019

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

Center for Media Justice

represented by **Abre Leann Conner**
ACLU of Northern California
PO Box 188
Fresno, CA 93707
559-554-2994
Email: aconner@aclunc.org
ATTORNEY TO BE NOTICED

Christine Patricia Sun
ACLU Foundation of Northern California
39 Drumm Street
San Francisco, CA 94111
(415) 621-2493
Fax: (415) 255-8437
Email: csun@aclunc.org
TERMINATED: 09/26/2019

Hugh Handeyside
American Civil Liberties Union
Foundation
125 Broad Street
New York, NY 10004-2400
212-519-7857
Email: hhandeyside@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Joshua David Riegel
American Civil Liberties Union
Foundation
125 Broad Street
18th Floor
New York, NY 10004
212-549-2500
Email: jriegel@aclu.org
TERMINATED: 08/02/2019
PRO HAC VICE

Mark Carter
American Civil Liberties Union
Foundation
125 Broad St Fl.18
New York, NY 10004
United Sta
646-885-8344
Email: mcarter@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Nusrat Choudhury
American Civil Liberties Union

Foundation
125 Broad Street
18th Floor
New York, NY 10004
212-549-2500
Email: nchoudhury@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

American Civil Liberties Union

represented by **Abre Leann Conner**
(See above for address)
ATTORNEY TO BE NOTICED

Christine Patricia Sun
(See above for address)
TERMINATED: 09/26/2019

Hugh Handeyside
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Joshua David Riegel
(See above for address)
TERMINATED: 08/02/2019
PRO HAC VICE

Mark Carter
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Nusrat Choudhury
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

**American Civil Liberties Union
Foundation**

represented by **Abre Leann Conner**
(See above for address)
ATTORNEY TO BE NOTICED

Christine Patricia Sun
(See above for address)
TERMINATED: 09/26/2019

Hugh Handeyside
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Joshua David Riegel
(See above for address)
TERMINATED: 08/02/2019
PRO HAC VICE

Mark Carter
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Nusrat Choudhury
(See above for address)

ATTORNEY TO BE NOTICED

V.

Defendant**Federal Bureau of Investigation**

represented by **Emmet P. Ong**
 United States Attorney's Office
 450 Golden Gate Avenue
 San Francisco, CA 94102
 415-436-2700
 Email: emmet.ong@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pamela T. Johann
 United States Attorney's Office
 450 Golden Gate Avenue
 Box 36055
 San Francisco, CA 94102
 (415) 436-7025
 Fax: (415) 436-7234
 Email: pamela.johann@usdoj.gov
TERMINATED: 08/09/2019
LEAD ATTORNEY

Rebecca Ann Falk
 U.S. Attorney's Office
 450 Golden Gate Avenue
 11th Floor
 San Francisco, CA 94102
 415-436-7022
 Fax: 415-436-6748
 Email: rebecca.falk@usdoj.gov
TERMINATED: 06/21/2019

Defendant**U.S. Department of Justice**

represented by **Emmet P. Ong**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pamela T. Johann
 (See above for address)
TERMINATED: 08/09/2019
LEAD ATTORNEY


Rebecca Ann Falk
 (See above for address)
TERMINATED: 06/21/2019

Date Filed	#	Docket Text
03/21/2019	<u>1</u>	COMPLAINT for Injunctive Relief for Violation of the Freedom of Information Act against Department of Justice, Federal Bureau Investigation (Filing fee \$ 400, receipt number 0971-13189686.). Filed by Center for Media Justice, American Civil Liberties Union Foundation, American Civil Liberties Union. (Attachments: # <u>1</u> Exhibit Ex. A – FOIA Request, # <u>2</u> Exhibit Ex. B – Government Response, Request No. NFP-102340, # <u>3</u> Exhibit Ex. C – Government Response, Request No. NFP-102341, # <u>4</u> Exhibit Ex. D – Government Response, Request No. 1387511-000, # <u>5</u> Civil Cover Sheet Civil Cover Sheet)(Sun, Christine) (Filed on 3/21/2019) (Entered: 03/21/2019)

03/21/2019	<u>2</u>	Proposed Summons. (Sun, Christine) (Filed on 3/21/2019) (Entered: 03/21/2019)
03/21/2019	<u>3</u>	<p>Case assigned to Magistrate Judge Donna M. Ryu.</p> <p>Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening.</p> <p>Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges. Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 4/4/2019. (srnS, COURT STAFF) (Filed on 3/21/2019) (Entered: 03/21/2019)</p>
03/21/2019	<u>4</u>	First MOTION for leave to appear in Pro Hac Vice <i>Nusrat Choudhury</i> (Filing fee \$ 310, receipt number 0971-13191089.) filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Certificate of Good Standing)(Choudhury, Nusrat) (Filed on 3/21/2019) Modified on 3/25/2019 (ajsS, COURT STAFF). (Entered: 03/21/2019)
03/21/2019	<u>5</u>	First MOTION for leave to appear in Pro Hac Vice <i>Joshua D. Riegel</i> (Filing fee \$ 310, receipt number 0971-13191153.) filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Certificate of Good Standing)(Riegel, Joshua) (Filed on 3/21/2019) Modified on 3/25/2019 (ajsS, COURT STAFF). (Entered: 03/21/2019)
03/21/2019	<u>6</u>	NOTICE of Appearance by Abre Leann Conner (Conner, Abre) (Filed on 3/21/2019) (Entered: 03/21/2019)
03/22/2019	<u>7</u>	MOTION for leave to appear in Pro Hac Vice re: Hugh Handeyside (Filing fee \$ 310, receipt number 0971-13193733.) filed by American Civil Liberties Union, American Civil Liberties Union Foundation, Center for Media Justice. (Attachments: # <u>1</u> Certificate of Good Standing)(Handeyside, Hugh) (Filed on 3/22/2019) Modified on 3/25/2019 (ajsS, COURT STAFF). Modified on 3/25/2019 (ajsS, COURT STAFF). (Entered: 03/22/2019)
03/22/2019	<u>8</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 6/12/2019. Initial Case Management Conference set for 6/19/2019 01:30 PM in Oakland, Courtroom 4, 3rd Floor. (ajsS, COURT STAFF) (Filed on 3/22/2019) (Entered: 03/22/2019)
03/22/2019		<p><u>Electronic filing error</u>. Incorrect case number re: <u>6</u> Notice of Appearance filed by American Civil Liberties Union, American Civil Liberties Union Foundation, Center for Media Justice. Please ensure that all documents filed have the case number 4:19-cv-01465-DMR [err201].</p> <p>No further action is necessary. (ajsS, COURT STAFF) (Filed on 3/22/2019) (Entered: 03/22/2019)</p>
03/22/2019	<u>9</u>	Summons Issued as to U.S. Department of Justice and Federal Bureau of Investigation. (ajsS, COURT STAFF) (Filed on 3/22/2019) Modified on 3/22/2019 (ajsS, COURT STAFF). (Entered: 03/22/2019)
03/22/2019	<u>10</u>	MOTION for leave to appear in Pro Hac Vice re: Mark Carter (Filing fee \$ 310, receipt number 0971-13194240.) filed by American Civil Liberties Union, American Civil Liberties Union Foundation, Center for Media Justice. (Attachments: # <u>1</u> Certificate of Good Standing)(Carter, Mark) (Filed on 3/22/2019) Modified on 3/25/2019 (ajsS, COURT STAFF). Modified on 3/25/2019 (ajsS, COURT STAFF). (Entered: 03/22/2019)
03/22/2019	<u>11</u>	<p>***WRONG EVENT USED, MUST BE REFILED***</p> <p>SUMMONS Returned Executed by Center for Media Justice, American Civil Liberties Union Foundation, American Civil Liberties Union. All Defendants. (Sun, Christine) (Filed on 3/22/2019) Modified on 3/25/2019 (ajsS, COURT STAFF). (Entered: 03/22/2019)</p>

03/25/2019		<p><u>Electronic filing error</u>. Incorrect event used. [err101]. This filing will not be processed by the clerks office. Re: <u>11</u> Summons Returned Executed, filed by American Civil Liberties Union, American Civil Liberties Union Foundation, Center for Media Justice.</p> <p>Please re-file in its entirety. Use the event: Civil Events, Initial Pleadings and Service, Service of Process, Summons Returned Executed as to USA FOIA. (ajsS, COURT STAFF) (Filed on 3/25/2019) (Entered: 03/25/2019)</p>
03/25/2019	<u>12</u>	SUMMONS Returned Executed (FOIA) by Center for Media Justice, American Civil Liberties Union Foundation, American Civil Liberties Union. All Defendants. (Sun, Christine) (Filed on 3/25/2019) (Entered: 03/25/2019)
03/25/2019	<u>13</u>	ORDER by Magistrate Judge Donna M. Ryu granting <u>4</u> Nusrat J. Choudhury's Motion for Admission Pro Hac Vice. (ig, COURT STAFF) (Filed on 3/25/2019) (Entered: 03/25/2019)
03/25/2019	<u>14</u>	ORDER by Magistrate Judge Donna M. Ryu granting <u>5</u> Joshua David Riegel's Motion for Admission Pro Hac Vice. (ig, COURT STAFF) (Filed on 3/25/2019) (Entered: 03/25/2019)
03/25/2019	<u>15</u>	ORDER by Magistrate Judge Donna M. Ryu granting <u>7</u> Hugh Handeyside's Motion for Admission Pro Hac Vice. (ig, COURT STAFF) (Filed on 3/25/2019) (Entered: 03/25/2019)
03/25/2019	<u>16</u>	ORDER by Magistrate Judge Donna M. Ryu granting <u>10</u> Mark Carter's Motion for Admission Pro Hac Vice. (ig, COURT STAFF) (Filed on 3/25/2019) (Entered: 03/25/2019)
04/05/2019	<u>17</u>	CLERK'S NOTICE TO PLAINTIFFS Re: Consent or Declination: Plaintiff shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . Consent/Declination due by 4/19/2019. (ig, COURT STAFF) (Filed on 4/5/2019) (Entered: 04/05/2019)
04/12/2019	<u>18</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by American Civil Liberties Union, American Civil Liberties Union Foundation, Center for Media Justice.. (Sun, Christine) (Filed on 4/12/2019) (Entered: 04/12/2019)
04/12/2019	<u>19</u>	CERTIFICATE OF SERVICE by American Civil Liberties Union, American Civil Liberties Union Foundation, Center for Media Justice (Sun, Christine) (Filed on 4/12/2019) (Entered: 04/12/2019)
04/17/2019	<u>20</u>	STIPULATION <i>RE EXTENSION OF TIME TO RESPOND TO PLAINTIFFS COMPLAINT</i> filed by Federal Bureau of Investigation, U.S. Department of Justice and Center For Media Justice; American Civil Liberties Union and American Civil Liberties Union Foundation. (Falk, Rebecca) (Filed on 4/17/2019) Modified on 4/18/2019 (ajsS, COURT STAFF). (Entered: 04/17/2019)
04/19/2019	<u>21</u>	CLERK'S NOTICE TO DEFENDANTS Re: Consent or Declination: Defendants shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . Consent/Declination due by 5/3/2019. (ig, COURT STAFF) (Filed on 4/19/2019) (Entered: 04/19/2019)
05/06/2019	<u>22</u>	SECOND CLERK'S NOTICE TO DEFENDANTS Re: Consent or Declination: Defendants shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . Consent/Declination due by 5/20/2019. (ig, COURT STAFF) (Filed on 5/6/2019) (Entered: 05/06/2019)
05/15/2019	<u>23</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Federal Bureau of Investigation, U.S. Department of Justice.. (Falk, Rebecca) (Filed on 5/15/2019) (Entered: 05/15/2019)

05/23/2019	<u>24</u>	<i>Defendants'</i> ANSWER to Complaint by Federal Bureau of Investigation, U.S. Department of Justice. (Falk, Rebecca) (Filed on 5/23/2019) (Entered: 05/23/2019)
05/29/2019	<u>25</u>	***Incorrect PDF attached, see docket 29 ***ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options <i>by American Civil Liberties Union</i> (Riegel, Joshua) (Filed on 5/29/2019) Modified on 5/31/2019 (ajsS, COURT STAFF). (Entered: 05/29/2019)
05/29/2019	<u>26</u>	***Incorrect PDF attached, see docket 30 ***ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options <i>by American Civil Liberties Union Foundation</i> (Riegel, Joshua) (Filed on 5/29/2019) Modified on 5/31/2019 (ajsS, COURT STAFF). (Entered: 05/29/2019)
05/29/2019	<u>27</u>	ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options (Falk, Rebecca) (Filed on 5/29/2019) (Entered: 05/29/2019)
05/29/2019	<u>28</u>	***Incorrect PDF attached, see docket 31 ***ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options <i>for Center for Media Justice</i> (Riegel, Joshua) (Filed on 5/29/2019) Modified on 5/31/2019 (ajsS, COURT STAFF). (Entered: 05/29/2019)
05/30/2019	<u>29</u>	ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options <i>for American Civil Liberties Union</i> (Riegel, Joshua) (Filed on 5/30/2019) (Entered: 05/30/2019)
05/30/2019	<u>30</u>	ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options <i>for American Civil Liberties Union Foundation</i> (Riegel, Joshua) (Filed on 5/30/2019) (Entered: 05/30/2019)
05/30/2019	<u>31</u>	ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options <i>for Center for Media Justice</i> (Riegel, Joshua) (Filed on 5/30/2019) (Entered: 05/30/2019)
06/04/2019	<u>32</u>	AMENDED COMPLAINT <i>FOR INJUNCTIVE RELIEF FOR VIOLATION OF THE FREEDOM OF INFORMATION ACT</i> against All Defendants. Filed by Center for Media Justice, American Civil Liberties Union Foundation, American Civil Liberties Union. (Attachments: # <u>1</u> Exhibit A – FOIA Request, # <u>2</u> Exhibit B – Government Response, Request No. NFP–102340, # <u>3</u> Exhibit C – Government Response, Request No. NFP–102341, # <u>4</u> Exhibit D – Government Response, Request No. 1387511–000)(Choudhury, Nusrat) (Filed on 6/4/2019) (Entered: 06/04/2019)
06/12/2019	<u>33</u>	JOINT CASE MANAGEMENT STATEMENT filed by American Civil Liberties Union, American Civil Liberties Union Foundation, Center for Media Justice, U.S. Department of Justice and Federal Bureau of Investigation. (Choudhury, Nusrat) (Filed on 6/12/2019) Modified on 6/13/2019 (jmlS, COURT STAFF). (Entered: 06/12/2019)
06/18/2019	<u>34</u>	ANSWER to Amended Complaint by Federal Bureau of Investigation, U.S. Department of Justice. (Falk, Rebecca) (Filed on 6/18/2019) (Entered: 06/18/2019)
06/19/2019	<u>35</u>	🔊 PDF with attached Audio File. Court Date & Time [6/19/2019 2:16:46 PM]. File Size [18208 KB]. Run Time [00:37:56]. (courtspeak). (Entered: 06/19/2019)
06/19/2019	<u>36</u>	Minute Entry for proceedings held before Magistrate Judge Donna M. Ryu: Initial Case Management Conference held on 6/19/2019. Updated Joint Case Management Statement due by 8/14/2019. Further Case Management Conference set for 8/21/2019 01:30 PM. See minute Order for more particulars. FTR Time: 2:16–2:54. Attachment: Civil Conference Minute Order. (ig, COURT STAFF) (Date Filed: 6/19/2019) (Entered: 06/20/2019)
06/21/2019	<u>37</u>	NOTICE of Substitution of Counsel by Pamela T. Johann (Johann, Pamela) (Filed on 6/21/2019) (Entered: 06/21/2019)
08/02/2019	<u>38</u>	NOTICE of Change In Counsel by Joshua David Riegel (Riegel, Joshua) (Filed on 8/2/2019) (Entered: 08/02/2019)
08/09/2019	<u>39</u>	NOTICE of Substitution of Counsel by Emmet P. Ong (Ong, Emmet) (Filed on 8/9/2019) (Entered: 08/09/2019)
08/14/2019	<u>40</u>	JOINT CASE MANAGEMENT STATEMENT filed by Federal Bureau of Investigation, U.S. Department of Justice, American Civil Liberties Union and American Civil Liberties Union Foundation. (Ong, Emmet) (Filed on 8/14/2019) Modified on 8/15/2019 (ajsS, COURT STAFF). (Entered: 08/14/2019)

08/21/2019	<u>41</u>	SECOND AMENDED COMPLAINT against Federal Bureau of Investigation, U.S. Department of Justice. Filed by Center for Media Justice, American Civil Liberties Union Foundation, American Civil Liberties Union. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E)(Choudhury, Nusrat) (Filed on 8/21/2019) Modified on 8/21/2019 (jmlS, COURT STAFF). (Entered: 08/21/2019)
08/21/2019	<u>42</u>	 PDF with attached Audio File. Court Date & Time [8/21/2019 2:00:33 PM]. File Size [9920 KB]. Run Time [00:20:40]. (courtspeak). (Entered: 08/21/2019)
08/21/2019	<u>43</u>	Minute Entry for proceedings held before Magistrate Judge Donna M. Ryu: Further Case Management Conference held on 8/21/2019. See minute Order for all particulars. Update Joint Case Management Statement due by 10/9/2019. Further Case Management Conference set for 10/16/2019 01:30 PM in Oakland, Courtroom 4, 3rd Floor. FTR Time: 2:00–2:21. Attachment: Civil Conference Minute Order. (ig, COURT STAFF) (Date Filed: 8/21/2019) (Entered: 08/22/2019)
09/09/2019	<u>44</u>	Defendants' Answer to <u>41</u> Second Amended Complaint for Injunctive Relief for Violation of The Freedom of Information Act by Federal Bureau of Investigation, U.S. Department of Justice. (Ong, Emmet) (Filed on 9/9/2019) Modified on 9/10/2019 (cjlS, COURT STAFF). (Entered: 09/09/2019)
09/26/2019	<u>45</u>	NOTICE of Change In Counsel by Abre Leann Conner (Conner, Abre) (Filed on 9/26/2019) (Entered: 09/26/2019)